

REMARKS

Regarding the rejection of claims 1-5 and 7-19 under 35 U.S.C. §103(a), Applicants submit that the three cited references do not teach or make obvious Applicants' invention as called for in claims 1-5 and 7-19. The Examiner's rejections and remarks once again rely on Rönneke, U.S. Patent No. 6,515,989, and Lesley, U.S. Patent No. 6,188,752. Although the Examiner has substituted Lager, U.S. Patent No. 6,636,502, of the previous Office Action rejection for Farris et al., U.S. Patent No. 2,125,113, the newly substituted reference comes no closer to teaching or suggesting Applicants' invention as claimed in claims 1-5 and 7-19.

The present invention relates to a method for charging any kind of content and other services offered to individuals surfing the Internet with a mobile telephone, for example, information access, database schedules, travel searches and games (paragraph 0005). The prior art references do not teach a charging method for such Internet services which is initiated and controlled by a mobile telephone and which establishes a payment gateway and the opening of a micropayment account having a reserved amount so that content and services for more than one provider can be authorized and verified. In contrast, the references teach billing and payment methods relating to communication services such as individual telephone call routing and Internet packet routing of voice and data calls, not content services.

Lager et al., U.S. Patent No. 6,636,502, discloses a switching device and method that allow mobile radio users to indicate a desired network (col. 10, line 5-9) and the flexibility to use several external packet data communication networks (col. 8, line 55-60). Lager does not relate to a method of charging Internet services via a mobile telephone. Lager discloses a mobile radio data network having a General Packet Radio Service (GPRS) gateway support node that provides connection and interworking with various external packet data switching networks (col. 1, lines 53-58; col. 3, lines 26-29; and col. 4, lines 7-18). As shown in Fig. 8, the gateway node (GGSN) connects various external networks. The reference also discloses authentication of the mobile station (col. 6, lines 10-20) and providing the communications data link once authentication is complete (col. 15, line 26 - col. 16, line 62). However, the reference does not appear to disclose or teach limiting sensitive data to a particular portion of the system as cited by the Examiner, or to a method of charging Internet services via a mobile telephone. Rather, Lager is directed to a mobile communications system which includes a

gateway for authenticating and connecting a mobile station to a desired one of several external data communication networks.

Rönneke, U.S. Patent No. 6,515,989, discloses the collection of billing data in a packet data service by adding an independent computing resource to the same ethernet physical layer so that each packet of communicated data may be individually billed (col. 4, lines 45-50; Fig. 2; col. 2, lines 20-29; col. 3, lines 13-27). Rönneke only discloses the collection of billing data, not actual billing, payment transactions, or online payment accounts.

Lesley, U.S. Patent No. 6,188,752, teaches a method for providing prepaid telecommunication services by maintaining a charge account in a database from which to draw funds for payment of communication services. Referring to Fig. 4A of Lesley, is a subscriber of communication service (both voice and data conducted between two or more communications devices) (col. 4, lines 41-48) requests a prepay account and is assigned a record in a database including an account number and associated prepaid monetary value (col. 2, lines 13-15). Referring to Fig. 5, upon this subscriber calling a specific phone number for prepaid calling services the subscriber's database record is accessed to authorize the call. Thereafter the prepaid monetary value in the subscriber's record is decreased in accordance with the service (col. 2, lines 15-24). The subscriber database is located in the service control point (20) of an intelligent network (Fig. 1).

Lesley is silent about a micropayment account and reserving and authorizing a certain credit amount in the micropayment account. Additionally, Lesley also does not teach a payment gateway connected with the Internet and the mobile telephone network whereby customer data is held essentially in a database of the payment gateway.

In contrast to the combined teaching of Lager, Rönneke, and Lesley, Applicants' invention is directed to opening a micropayment account and providing a reserved amount which may be debited from the micropayment account in order to authorize and provide payments for content and services selected by a mobile phone user from Internet providers (substitute specification page 1a), not prepayment of a telecommunications account. Sensitive customer data remains within the telephone network and is not transmitted via the Internet (paragraph 0015 and paragraphs from the previously reinstated Summary of the Invention). Specifically, Applicants' claims 1 and 19 call for the steps of opening a

micropayment at a bank, reserving a certain amount in the micropayment account, the provider debiting amounts against the amount reserved, and the payment gateway debits the amounts to the micropayment account, credits the provider and cancels the respective certain amount.

Lager, Rönneke, and Lesley do not individually or in combination teach or make obvious any of the above steps called for by Applicants' claim 1. Rather, at best the references teach debiting a continually existing prepaid account for telephone calls or voice communications on a per-call or per-data packet basis. The references do not suggest a payment gateway that provides opening a micropayment account, reserving a certain amount in the micropayment account, the provider debiting the amounts against the amount reserved, and crediting the provider and canceling the respective reserve certain amounts.

Applicants' invention advantageously provides a method of handling briefly held agreements and making payments for providing Internet content from multiple providers. The invention provides this in a low cost secure fashion via a mobile telephone terminal without requiring electric purse money or customer data to be held by an old telephone terminal (substitute specification page 1a). The invention also advantageously provides the mobile telephone user with control of the Internet service costs via the authorization of a reserved certain amount (paragraph 0008) for each transaction.

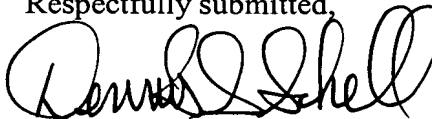
The micropayment account called for by claim 1 is not the same as a prepaid account, but rather is defined as a sub-account of an actual bank account at a bank (paragraph 0016; Fig. 1). The reserved certain amount in the micro account is canceled so that no unauthorized or other further charges can be made to the micropayment account (paragraph 0022). Additionally, it is not required that the account be prepaid, as the bank may determine that depending on credit worthiness (paragraph 0023).

Applicants' claims 4, 9 and 10 further call for the step of limiting sensitive data safely within the mobile telephone network and not transferring sensitive data via the Internet. Applicants' claims 14-18 further call for matching data relative to the reserved certain amount from the user mobile telephone terminal and the provider, thus providing added security. The further steps and recitations called for by Applicants' claims 4, 9, 10 and 14-18 are not suggested or obvious over Lager, Rönneke, and Lesley, individually or in combination.

Applicants therefore submit that the cited references do not suggest or make obvious Applicants' invention as called for in claims 1-5 and 7-19, and the claims are therefore in condition for allowance. In view of the foregoing, applicants submit that the application is in condition for allowance and such favorable action is respectfully requested.

In the event any additional extension of time or payment of fee is required, Applicants hereby conditionally petition therefore and authorize any charges to be made to Deposit Account 02-0385, Baker & Daniels. Should the Examiner have any questions or suggestions which should expedite the prosecution of this Application, the Examiner is invited to telephone the undersigned at (317) 237-1117.

Respectfully submitted,



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Signature

February 26, 2004

Date

1. (previously presented) A method for using and charging Internet services via a mobile telephone, comprising the steps of:

establishing a payment gateway (5), which is accessible by a mobile telephone-Internet user via a mobile telephone terminal (1) and by a provider via a provider server (4), where customer data of the user can be held centrally in a database (6) of the payment gateway (5),

opening a micropayment account (7) at a bank (9), where the payment gateway (5) and the micropayment account (7) are continuously synchronized by means of matching the databases,

reserving a certain amount in the micropayment account (7) via the payment gateway (5) and authorized by the user to the provider,

the provider debiting amounts against the amount reserved,

transmitting the actual charge(s) from the provider to the payment gateway (5) upon conclusion of the process, and

allocating the actual charges to the reserved certain amount, wherein the payment gateway debits the amounts to the micropayment account (7), credits the provider and cancels the respective reserved certain amount.

2. (previously presented) The method as defined by claim 1, wherein no electronic money purse data and no customer data are held in the terminal (1).

3. (previously presented) The method as defined by claim 1, further comprising the step of securing all payment transactions by means of a customer payment PIN.

4. (previously presented) The method as defined by claim 1, further comprising the step of limiting sensitive data safely within the mobile telephone network (2) and not transmitting sensitive data via the Internet (3).

5. (previously presented) The method as defined by claim 1, further comprising the step of authenticating the customer via the mobile telephone network (2).

6. (previously cancelled).

7. (previously presented) A method for charging Internet services via a mobile telephone, comprising coupling standard dealer software with standard (Internet) payment systems and Internet-enabled standard mobile telephone terminals (1).

8. (previously presented) The method as defined by claim 2, further comprising the step of securing all payment transactions by means of a customer payment PIN.

9. (previously presented) The method as defined by claim 2, further comprising the step of limiting sensitive data safely within the mobile telephone network (2) and not transmitting sensitive data via the Internet (3).

10. (previously presented) The method as defined by claim 3, further comprising the step of limiting sensitive data safely within the mobile telephone network (2) and not transmitting sensitive data via the Internet (3).

11. (previously presented) The method as defined by claim 2, further comprising the step of authenticating the customer via the mobile telephone network (2).

12. (previously presented) The method as defined by claim 3, further comprising the step of authenticating the customer via the mobile telephone network (2).

13. (previously presented) The method as defined by claim 4, further comprising the step of authenticating the customer via the mobile telephone network (2).

14. (previously presented) The method as defined by claim 1, wherein the reserving step comprises receiving matching data relating to the reserved certain amount from the mobile telephone terminal and the provider.

15. (previously presented) The method as defined by claim 2, wherein the reserving step comprises receiving matching data relating to the reserved certain amount from the mobile telephone terminal and the provider.

16. (previously presented) The method as defined by claim 3, wherein the reserving step comprises receiving matching data relating to the reserved certain amount from the mobile telephone terminal and the provider.

17. (previously presented) The method as defined by claim 4, wherein the reserving step comprises receiving matching data relating to the reserved certain amount from the mobile telephone terminal and the provider.

18. (previously presented) The method as defined by claim 5, wherein the reserving step comprises receiving matching data relating to the reserved certain amount from the mobile telephone terminal and the provider.

19. (previously presented) A method for using and charging Internet services via a mobile telephone, comprising the steps of:

authenticating a mobile telephone-Internet user via a mobile telephone network;
establishing a payment gateway, which is accessible by the mobile telephone-Internet user via a mobile telephone terminal and by a provider via a provider server, where customer data of the user can be held centrally in a database of the payment gateway;
opening a micropayment account at a bank, where the payment gateway and the micropayment account are continuously synchronized by means of matching the databases;
reserving a certain amount in the micropayment account via the payment gateway and authorized by the user to the provider;
the provider debiting amounts against the amount reserved;
transmitting the actual charge from the provider to the payment gateway upon conclusion of the process ; and
allocating the actual charges to the reserved certain amount, wherein the payment gateway debits the amounts to the micropayment account, credits the provider and cancels the respective reserved certain amount.